

# INDEPENDENT NEUROLOGY INQUIRY

Vivian McConvey

Our ref: BL-0002-21

Chief Executive

Patient Client Council

Date: 11 January 2021

Dear Ms McConvey ,

## **RE Independent Neurology Inquiry**

I am grateful that we were able to speak recently about a concern that we both share with regard to patients. I want to make sure that patients know about the changes brought about by the Minister's conversion of the Independent Neurology Inquiry to a statutory inquiry governed by the Inquiries Act 2005, and what that means for them. Ideally it would have been good to have been able to consult with patients and their representatives before the conversion. My focus has, however, been, on completing the evidence gathering and producing a report as soon as possible.

As you know, Professor Mascie-Taylor and I have, from the very start of our work, tried to put patients' interests at the heart of the process. The aim of the Inquiry is to ensure that lessons are learned so that patient safety may be improved. Rather than interpret our Terms of Reference narrowly, so that we only spoke to those patients and others who had raised specific issues about their neurological care, we decided instead that we should canvass all patients. This resulted in us receiving over 200 replies to a questionnaire, all of which we have considered and will have regard to when we write our report. We also heard oral evidence from 32 patients and as we have stated before, we are convinced that the more

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informal and discrete manner of receiving evidence has encouraged patients to be open and frank with us in a way that will, we believe, contribute to the ultimate outcome and recommendations made.

I know that patients will be wondering why we were made into a statutory inquiry so close to the conclusion of our work in terms of evidence gathering. Ultimately this was a decision for the Minister for Health, but his decision has a number of important consequences for our work:

1. The Inquiry will be of equal significance and status to other statutory inquiries taking place;
2. I now have the powers, where necessary to compel attendance at the Inquiry
3. I also have the power to compel the production of documents, and in this way ensure that the Inquiry sees all documents relevant to its work.

I want to assure you that in almost all cases witnesses have attended and documents were provided to the Inquiry upon our request, and I did not feel the lack of such powers was hampering our work in any way. Recently, however the Inquiry encountered difficulties in obtaining a highly relevant document and our conversion to a statutory Inquiry now enables me to legally require disclosure. It may be that its contents may not fundamentally change any conclusions that we reach in our report, but I am sure you will understand the importance of satisfying all who read those conclusions that the Inquiry pursued all necessary investigations.

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I also know people may be wondering whether we will now change the way in which we hear from witnesses. As we have now been referred to as a “public” inquiry I am sure that some people may expect that we will be hearing from people “in public”, and that they will be able to attend to hear witnesses. If the Inquiry started out as an Inquiry under the 2005 Act, then I would almost inevitably have directed that course. At this stage, however, when we have already heard from over 200 witnesses and we have only a few more waiting to give their evidence to us, it would be unreasonable and unfair to change things now. I intend to be consistent in my approach and ask the remaining small number of witnesses that we wish to hear from to give their evidence in the same way as those we have already heard from.

Another important reason for me taking this decision is to ensure that I do not delay the work of the Inquiry or increase costs, something that would inevitably come about if we were to change our practices now. I have no doubt that the practices and procedures that I have directed will enable Professor Mascie-Taylor and myself to produce a comprehensive report, intended to contribute to improved patient safety and completely fulfilling our Terms of Reference.


I hope that this letter helps to clarify the position that the Inquiry is now in. There are more details in a statement that I have issued and published on the Inquiry website.

If you or any of the patients still have any questions, both the Inquiry Secretary and Inquiry Solicitor are available to answer them.

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I remain very grateful for the work that the Patient Client Council has done in supporting the work of the Inquiry and providing a voice for patients.

Yours sincerely,

A handwritten signature in black ink, appearing to read 'Brett Lockhart', with a small flourish at the end.

Brett Lockhart QC

Chairperson

Independent Neurology Inquiry